

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, AUGUST 19, 2008**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro
Mike Hurley
Paul Fontaine, Jr.

MEMBERS ABSENT: Nancy Maynard
Elizabeth Slattery

PLANNING OFFICE: David Streb
Mike O'Hara

Call to Order

Meeting called to order at 6:00 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

Board given 8-5-08 letter from Stirling-Brown Architects to Bldg. Commissioner re: Dr Yu's Blossom & Crescent Street project stating that since the foundations installed about two years ago were not properly protected from frost damage, and there have since been changes in the Mass. State Building Code, they can no longer stand behind the permit documents as suitable or appropriate for construction. Also Special Permit #05-10 did not have a time limit for completion.

Mr. Streb gave update of the 43D, "Expedited Permitting" project. It was anticipated that Concord Square Planning & Development will have draft ordinance changes in a couple weeks to bring the permitting timeline in line with the C. 43D requirements (decisions within 180 days).

In order to get the matter to the Planning Board for public hearing in September, he asked the Board to authorize the Planning staff to submit to the City Council a petition to amend the Zoning Ordinance and map as necessary to comply with the provisions of Chapter 43D.

Per statute, the Planning Board is one of the bodies that can initiate a zoning amendment.

Motion made (Mr. Fontaine) & seconded (Mr. DiPasquale) to authorize the Planning staff to do this.
Vote 5-0 in favor.

Water Park at Royal Plaza Hotel -- Board was informed that minor modifications of the parking layout had been requested by the Fire Chief and shown on a plan by Horizon Development. Planning Office has deemed the change minor - no further review needed.

Board members were reminded that due to primary election on Sept 16th (3rd Tuesday) the September meeting would be bumped forward a week to Sept. 23rd.

Ms. Caron asked about 323 Princeton Road. Mike O'Hara explained that the Building Commissioner stated the property next to the overpass has a separate owner. The Board wants a letter to be sent to the owner stating he is in violation of the Site Plan. Mike O'Hara will ask the Building Commissioner about the non-permitted use.

Also, on the Arden Mills Water Street fence issue, Mike O'Hara will call Steve Callahan.

Meeting Minutes

Motion made & seconded to approve minutes of the July 15, 2008 meeting.
Vote unanimous to approve.

ANR plans

The Board reviewed and endorsed the following "ANR" plans:

Foley Family Trust - 683 Pearl Street

Dave Leroy of Ross Assocs. present. Re-subdivision of two existing parcels. Creates a 86,996 sq. ft. "rear lot" behind 683 Pearl Street. A portion of the parcel (18,244 sq. ft.) is in Lunenburg.

Moretto & Funk - Geneva & Grand Streets

Atty. Melon representing seller present. Parcel at 54 Geneva Street is acquiring 2,186 sq. ft. from adjacent vacant parcel on Grand Street. Remainder has 8,826 sq. ft.

Minor Site Plan Review

91 Laurel St., Flagship Fuels - add convenience store

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley (5)

Action: Approved.

Kevin Gillis of Northborough Realty Holdings, LLC (property owner) presented plan. he had renovated a similar facility on Water Street near Benson Street a few years ago. He stated this is a two-bay gas station and he wishes to convert it to a self-service gas station and convenience store. Will need a Special Permit from the Zoning Board of Appeals for the convenience store which is in an Industrial Zone. Hearing on that had been postponed to August.

No vendors (such as Dunkin') will be inside, just a convenience store. He'll renovate the facade. He described the landscaping for the site. The number of gas pumps will not change. Traffic increase minimal.

Motion made (Mr. Fontaine) and seconded (Mr. DiPasquale) to approve as submitted, subject to that facade is similar to Water Street property and the removal of brush and installation of landscaping improvements along property lines, to include shrubs, low lying plants, and mulch, etc. along easterly slope (abutting Gamaches), and westerly area (in front of parking area abutting Putnam St. Bridge). Vote unanimous.

PUBLIC HEARINGS

Special Permit & Definitive Subdivision Plan - Fisher Road LLC, 20 lots, off Fisher Rd.

(continued from June 17)

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley (5)

Action: Continued to October 21

Chris Deloge, Whitman & Bingham was present and submitted a written request for an extension, said that Brian Devellis could not be here. Whitman & Bingham and Devellis came to agreement yesterday about payment for engineering services, so they will be submitting revised plans in a couple weeks.

Mike O'Hara proposed that September 23rd meeting is too soon to allow for an outside engineering review of the drainage calculations and traffic study.

Motion made and seconded to continue the Public Hearing to the October 21st meeting, provided that Plans are submitted to the Planning Office by September 10th, or else abutters will be notified that the item will be on September 23rd agenda to consider a denial. Whitman & Bingham to pay for additional notice to abutters of the September meeting (if necessary) and the October meeting.

Special Permit - Habitat for Humanity - North Central Mass., corner Allen Place & Huron Street - three-family dwelling

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley (5)

Action: Continued to September 23rd

Mike Nobrega, construction manager for Habitat, and Don Favreau presented plan showing 3 units with garages under units. Two interceptor drains. This is their first multi-unit condo. They recently completed a single family at the end of Essex St, which was difficult and a very steep site. This one they expect to be easier.

There will be separate water services for each unit. Sewer: unsure of whether individual connections or to a common line.

Ms. Caron said that the Board has issues with the number of parking spaces. Scaling off the plan showed that the driveway length is sufficient for two spaces back-to-back. It was suggested to provide three more for visitors, etc. There is no opportunity for on-street parking on Allen Place or Huron.

Mr. Fontaine: Unit owners in a 3-unit condo association may not understand their responsibilities for maintenance. Extensive discussion ensued about the need for a maintenance document to spell out responsibilities for maintaining drainage structures, etc.

Board will need to see at next meeting: landscaping plan, renderings for buildings, draft language for maintenance in the condo docs.

Hearing was continued to September 23rd.

OTHER BUSINESS

Petition - to designate Flat Rock Road as "Scenic Road"

Eagle Scout Sean Petev in to describe findings. This was his eagle scout project -- inventory of trees along Flat Rock Road, informing property owners, and submitting a petition to designate Flat Rock Road as "Scenic Road". If this is done, the removal of stone walls along the side of the road, and/or cutting of trees within the public way would need permission of the Planning Board and/or Tree Warden, after a public hearing.

Property owners along Flat Rock Road had been informed of this meeting:

Janet Morrison of North County Land Trust, an abutting property owner, was in favor.

Chris Williams – School Manager of Applewild School stated that Applewild supported the idea, but was concerned about potential impact. They will want to develop more fields on their site, possibly have access off Flat Rock Road. How will this affect them?

He was informed that review under the Scenic Road Act triggered only if:

removing portion of stonewall, or cutting/removing trees within the public way.

Motion made & seconded to recommend in favor of petition to designate Flat Rock Road from Prospect Street to the end of the paved road (approximately 2,200 linear feet) as a Scenic Road.

Labell - revised PUD concept plan - Depot Rd. & Fairmont Street

Gary Labell & Todd Lobo of Hannigan Engineering presented revised plan dated 8-5-08 showing four 2-unit and five 3-unts buildings on 3.93 acres. A Special Permit application for a PUD has been submitted and will be on the Board's Sept. 23rd agenda.

Mr. Fontaine: still way too many units, too dense

Ms. Caron: still doesn't fit as a Planned Unit Development

Parking, Number of Units are big issues.

Mr. DiPietro stated it doesn't qualify as a PUD. What attributes are going to benefit the city? Also need renderings of building.

Todd - it works out to 6.8 units/acre

Board comments: the open space is not functional. There's no open area that useable to the unit owners or the C. of F.

Suggestion made to look into rezoning property to RB (similar to property on other side of Fairmount Street) -- 10,000 sq. ft. & 80 feet min req'd would result in approx. 15 single family frontage lots.

"Brickyard" subdivision - - regrading of slope

Joe Montalto present. Requesting permission to change the slope to a 2:1 slope by cutting into the designated open space behind lots 2, 3 & 4.

Mike O'Hara said proposed changes should be shown on a plan. Joe Montalto said he doesn't want to spend the money - had gotten an est. of \$12,000

Mr. Fontaine argued that it is important to show this on a plan.

Planning Board agreed they will allow modification to the slopes of lots 3, 4 & 5 as long as as-built plans are submitted afterwards.

Meeting adjourned 8:45 p.m.

Next meeting: Sept. 23, 2008

Approved: 9-23-08